

GOVERNMENT OF ANDHRA PRADESH
ABSTRACT

Police Department – Sanction of Prosecution Orders in Cr.No. 36/2009 of Dummugudem Police Station, Khammam District under section 5 of Explosive Substances Act, 25 (1) (a) Indian Arms Act, section 8 (1) (ii) Andhra Pradesh Public Security Act, sections 10, 13 and 20 of the Unlawful Activities (Prevention) Act 1967 of Dummugudem Police Station - Permission Accorded – Orders - Issued.

HOME (LEGAL-II) DEPARTMENT

G.O.Ms.No. 102

Dated: 11.06.2012
Read the following:

1. From the D.G.P., A.P., Hyd, Lr.Rc.No. 4581/Compts-4/2010, dated: 09.01.2012
2. From the SP, Khammam, C.No. 39/C1/2010, dated: 16.8.2010

ORDER:-

Whereas, in the letter 1st read above, the Director General of Police, Andhra Pradesh, Hyderabad, has requested the Government to issue orders for prosecuting the accused persons in Cr.No. 36/2009 Under section 5 of the Explosive Substances Act, 1908 and section 25(1) (a) of the Indian Arms Act, 1959 and section 8(1)(ii) of the Andhra Pradesh Public Security Act, 1992 and section 10, 13 and 20 of the Unlawful Activity (Prevention) Act, 1967, of Dummugudem Police Station Khammam District.

2. And whereas in the letter 2nd read above, the Superintendent of Police, Khammam District has stated that the case in Cr.No. 36/2009 Under section 5 of the Explosive Substances Act, 1908 and section 25(1) (a) of the Indian Arms Act, 1959 and section 8(1)(ii) of the Andhra Pradesh Public Security Act, 1992 and section 10, 13 and 20 of the Unlawful Activity (Prevention) Act, 1967, of Dummugudem Police Station was registered on 13.3.2009 at 2030 hours, when the police party under the lead of Sub-Inspector of Police, Dummugudem conducting vehicle checking and frisking the strangers at Chinnanallabaalli Shandy area, noticed two persons were proceeding towards Bhadrachalam under suspicious circumstances and on seeing the police party they took the heels. The Police party chased, apprehend one person at some distance while the other person managed to escape. On enquiry he revealed his name as Sodi Edama S/o Kosaa, 30 yrs Guthi Koya, LOS Commander of CPI Maoists R/o Kothacheruvu, Bejji PS Kunta Tahsil of Chhattisgarh State and escaped person is his associate Madivi Sannal S/o Jogulu R/o Polempalli village of Chhattisgarh State managed to escape. Further he stated that he attracted towards the ideology of Maoists and joined them and working as LOS Commander and involved in number of offences committed by CPI Maoists in Chhattihsar State. As per the instruction of CPI Maoists leaders, he along with Madivi Sannal, Gollapalli LOS commander proceeding towards Bhadrachalam to do away the lives of targets and political leaders to create panic in the mind of public. On searching the bag carried by the accused, one country made pistol and its Five(5) live ammunition, and Ten(10) gelatins sticks and two detonators fitted with wire were found. His confession statement was recorded in the presence of mediators and seized the above articles under a cover of panchanama in the presence of above mediators.

3. And whereas, during the course of investigation, the accused was produced before the I Addl.Judicial First Class Magistrate for naxalite case for judicial remand.

4. And whereas, the Senior Assistant Public Prosecutor, Khammam has stated that he has gone through the CD file and as per the investigation established A1 being the Dalam commander of CPI Maoists which is a baned organization by the Government of Andhra Pradesh and as he has been in possession of explosive with an intention to kill police persons and also he was

P.T.O.

in possession of illegal fire army with live round and also in possession of Ten(10) gelatins and Two(2) detonators. And as per the FSL expert opinion that 1) item No. 1 is country made SBBL pistol. It is chambering Twelve (12) bore cartridges, such as item No. 2, 2) item No.2 is in working order, 3) item No. 2 the 12 bore cartridge company made and life. It can be fired from item No.1, 4) item No. 1 and 2 come under the purview of Arms act and it is also comes under purview of sections 10, 13 and 20 of the Unlawful Activities (Prevention) Act. 1967. Hence it is a fit case to obtain the prosecution sanctioning orders from the Andhra Pradesh State Government against A1 and A2 who is yet to be arrested and to prosecute A1 and A2 in Cr.No. 36/2009 under section 5 of Explosive Substances Act, 25 (1) (a) Indian Arms Act section 8 (1) (ii) Andhra Pradesh Police Service Act sections 10, 13, and 20 of the Unlawful Activities (Prevention) Act 1967 of Dummugudem Police Station.

5. Now therefore, in exercise of the powers conferred by section 45 of the unlawful Activities (Prevention) Act, 1967, the Government of Andhra Pradesh, after careful examination of the report of the Director General of Police, Andhra Pradesh, and the opinion of the APP concerned, and material placed before them hereby accord sanction to prosecute the accused Sri Sodi Edama S/o Kosaa R/o Kothacheruvu, Bejji PS, Kunta Tahsil of Chhattisgarh, under sections 10, 13 and 20 of the Unlawful Activities (Prevention) Act, 1967 in Cr.No. 36/2009 of Dummugudem Police Station in Khammam District in a competent court.

(BY ORDER AND IN THE NAME OF THE GOVERNOR OF ANDHRA PRADESH)

**P.GAUTAM KUMAR
PRINCIPAL SECRETARY TO GOVERNMENT**

To

The Director Genera of Police, Andhra Pradesh, Hyderabad.

Copy to:

The Law (E) Department

The P.S to Prl.Secy, Home Department.

C.No. 27204/Legal.II/A2/2011

SF/SC.